

STATE OF SOUTH CAROLINA

(Caption of Case)

Example: Application for a Class C Charter Certificate from
John Doe dba Doe's Limo

Checker Yellow Cab Co. Inc.

Complainant/Petitioner

v.

Posted: tooDept: S.A.Date: 9/28/09Time: 11:50

(Please type or print)

Submitted by: Dallas D. BallAddress: P.O. Box 419Ballentine, S.C. 29002

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

TRANSPORTATION COVER SHEET

DOCKET

NUMBER: 2009 - 317 - T

If this is your first time filing an application with the PSC, you will not have a Docket Number. The Commission will assign one to you. If you have filed with the Commission before, a Docket Number was assigned and should be entered above.

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

NATURE OF ACTION (Check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Application – Class C Taxi | <input type="checkbox"/> Request to Amend Scope of Authority |
| <input type="checkbox"/> Application – Class C Charter | <input type="checkbox"/> Request to Amend Tariff (rate increase, etc.) |
| <input type="checkbox"/> Application – Class C Charter Bus | <input type="checkbox"/> Request to Amend Passenger Limit |
| <input type="checkbox"/> Application – Class C Non-Emergency | <input type="checkbox"/> Request |
| <input type="checkbox"/> Application – Class E Household Goods | <input type="checkbox"/> Exhibit |
| <input type="checkbox"/> Application – Class E Hazardous Waste | <input type="checkbox"/> Late-Filed Exhibit |
| <input type="checkbox"/> Application | <input type="checkbox"/> Letter |
| <input type="checkbox"/> Request for Extension to Comply with Order | <input type="checkbox"/> Proposed Order |
| <input type="checkbox"/> Request for Order Granting Authority to Obtain Certificate of Public Convenience and Necessity to Be Rescinded | <input type="checkbox"/> Publisher's Affidavit |
| <input type="checkbox"/> Request for Cancellation of Certificate | <input type="checkbox"/> Reservation Letter |
| <input type="checkbox"/> Request for Suspension | <input type="checkbox"/> Response |
| <input type="checkbox"/> Request for Reinstatement | <input type="checkbox"/> Return to Petition |
| <input type="checkbox"/> Request for Name Change on Certificate | <input checked="" type="checkbox"/> Other: <u>Motion for Default Judgment</u> |

RECEIVED

SEP 25 2009

PSC SC
DOCKETING DEPT

DALLAS D. BALL, P.C.

ATTORNEY AT LAW

Mailing Address:
PO Box 419
Ballentine, SC 29002

Office: 803-794-8608
Facsimile: 803-407-2357
dallas@sctrial.com
www.sctrial.com

Street Address:
690-C Columbiana Dr.
Suite 200
Columbia, SC 29212

September 24, 2009

Charles L.A. Terreni
S.C. Public Service Commission
Synergy Business Park
101 Executive Center Drive
Columbia, S.C. 29210

RE: Motion for Default Judgment
Docket Number 2009-317-T


RECEIVED
2009 SEP 24 PM 4:22
SC PUBLIC SERVICE
COMMISSION

Mr. Terreni:

Enclosed for filing are the original and 10 copies of a Motion and Cover Sheet for Default Judgment in the above referenced matter.

By copy of this letter and filing I am informing and serving all parties of record as follows: SC Office of Regulatory Staff, 1401 Main Street, Suite 900, Columbia, S.C. 29201; Thomas C. Ard, d/b/a Ard's Airport Shuttle Service, 13 Yashica Court, West Columbia SC 29172; Ray Charles Jones, Sr., d/b/a Best Way Shuttle Service, 903 Meadow Street, Columbia SC 29205.

Sincerely,



Dallas D. Ball

DDB/cb
attachment

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SEP 25 2009

PSC SC
DOCKETING DEPT.

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-317-T

RECEIVED
SEP 24 4 11 PM '09
SOUTH CAROLINA
PUBLIC SERVICE
COMMISSION

Checker Yellow Cab Co, Inc,)	
)	
Complainant/Petitioner,)	
)	<u>Motion for Default Judgment</u>
vs.)	<u>For Failure to Answer</u>
)	
Ard's Airport Shuttle Service,)	
Best Way Shuttle Service,)	
)	
Defendants)	
_____)	

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SEP 25 2009
PSC SC
DOCKETING DEPT.

Complainant, pursuant to 26 S.C. Code Ann. Regs. § 103-840 and Rule 55 of the South Carolina Rules of Civil Procedure files this Motion for Default Judgment based upon Defendant's failure to answer. In support of its motion Complainant provides as follows.

1. Petitioner Checker Yellow Cab Company ("Checker") is a corporation organized and existing pursuant to the laws of the State of South Carolina and is a Class C Taxi Certificate Holder authorized to conduct Class C Taxi operations by the South Carolina Public Service Commission ("Commission").

2. That the Commission has jurisdiction over the matters contained herein.

3. Ard's Airport Shuttle Service ("Ard's") is authorized to conduct Class C Charter operations by the commission and operates 15 passenger vans in Richland and Lexington Counties with LS tags subject to regulation and oversight by the Commission.

4. Best Way Shuttle Service ("Best Way") is authorized to conduct Class C Charter operations by the commission and operates 15 passenger vans in Richland and Lexington Counties with LS tags subject to regulation and oversight by the Commission.

5. On July 29, 2009 Complainant file a Petition for Rule to Show Cause why Defendant's should not have their certificates revoked.

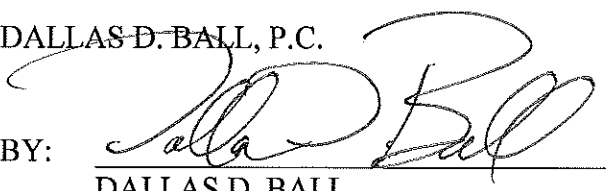
6. On August 7, 2009, the Commission issued a thirty day notice instructing Defendants to file an Answer to Complainant's petition and to serve a copy of such answer on the Public Service Commission of South Carolina, The Office of Regulatory Staff, and Dallas D. Ball, Esquire. The thirty day notice advised Defendants that if an Answer was not filed within thirty days of receipt of the Petition, the Petitioner may apply to the Commission for the relief demanded in the Petition.

7. 26 S.C. Code Ann. Regs. § 103-840 A (2) provides that if the Defendant fails to timely file it's answer, unless an extension is granted, the Defendant is deemed in default and all relevant facts stated in the petition may be deemed admitted.

WHEREFORE, Complaint asks the Commission to Issue an Order finding that the Defendants are in Default in this matter and grant the relief requested in Complainant's petition to include revocation of their certificates.

DALLAS D. BALL, P.C.

BY:


DALLAS D. BALL.

Post Office Box 419

Ballentine, South Carolina 29002

(803) 794-8608

ATTORNEY FOR COMPLAINTANTS

Ballentine, S.C.

Dated: 9/24/09

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-317-T

RECEIVED
2009 SEP 24 PM 1:23
S.C. PUBLIC SERVICE
COMMISSION

Checker Yellow Cab Co, Inc,)	
)	
Complainant/Petitioner,)	
)	<u>Certificate of Service</u>
vs.)	
)	
Ards Airport Shuttle Service,)	
Best Way Shuttle Service,)	
)	
Defendants)	
_____)	

I, Carl D. Brewer, Paralegal to Dallas D. Ball, P.C., certify that I deposited the document(s) listed below and addressed as set forth below, in the United States Mail with postage affixed thereto this 24th day of September, 2009.

Document: Motion for Default Judgment

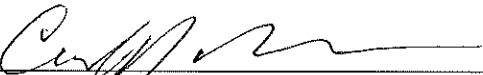
To:

S.C. Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, S.C. 29201

Thomas C. Ard
d/b/a Ard's Airport Shuttle Service
13 Yashica Court
West Columbia, S.C. 29172

Ray Charles Jones, Sr.
d/b/a Best Way Shuttle Service
903 Meadow Street
Columbia, S.C. 29205

BY:



Carl D. Brewer, Paralegal